

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE

FILED BY *Jf* D.C.
05 JUN 30 PM 3: 56

R. SADLER BAILEY, Individually and on
behalf of all others similarly situated,

Plaintiff,

v.

HONEYWELL INTERNATIONAL INC.,

Defendant.

Civil Action No. 05-2063-DP

05-2063

[PROPOSED] ORDER Re:
Plaintiff's Motion to Withdraw its
Motion to Vacate Order Denying Motion
for Remand Without Prejudice

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
MEMPHIS

ORDER

Upon consideration of Plaintiff's Motion to Withdraw its Motion to Vacate Order Denying Motion for Remand Without Prejudice, or Alternatively for Hearing on the Issue of Remand, the issuance by the Judicial Panel on Multidistrict Litigation of a conditional transfer order transferring this case to the Northern District of California on June 14, 2005, review of the additional evidence presented therein, and the circumstances of this case, the Court finds Plaintiff's Motion is well taken. It is therefore,

ORDERED that the previous Motion to Withdraw its Motion to Vacate Order Denying Motion for Remand without Prejudice, or Alternatively for Hearing on the issue of Remand is granted subject to further order of the MDL transferee court.

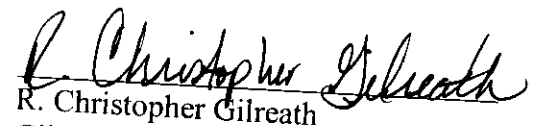
Bernice B. Donald
Bernice B. Donald, District Judge

Date: *June 30, 2005*

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on *7-1-05*

(30)

APPROVED:

A handwritten signature in cursive script, reading "R. Christopher Gilreath". The signature is written in black ink and is positioned above the printed contact information.

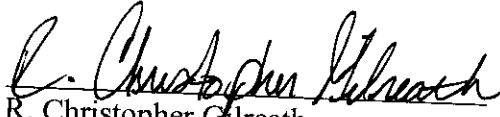
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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Motion to Withdraw its Motion to Vacate Order Denying Motion for Remand Without Prejudice, or Alternatively for Hearing on the Issue of Remand has been served this the ____ day of June, 2005, via facsimile and U.S. Mail, postage prepaid to the following:

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Notice of Distribution

This notice confirms a copy of the document docketed as number 30 in case 2:05-CV-02063 was distributed by fax, mail, or direct printing on July 1, 2005 to the parties listed.

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Honorable Bernice Donald
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